

Chapter 90, CONSTRUCTION STANDARDS

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ARTICLE I, Beaver Creek Drainage Basin

The Township has adopted several annual ordinances establishing random drawings for issuance of permits within the Beaver Creek Drainage Basin. As the policies are not general and permanent in nature, they are not included in this volume. Said ordinances may be viewed at the Township offices.

ARTICLE II, Smoke Detectors [Adopted 11-15-1990 by Ord. No. 90-16 (Art. 723 of the 1960 Code)]

§ 90-1. Definitions.

- ☐ For purposes of this article, the following words shall have the following meanings:

DWELLING UNIT -- A structure, or portion thereof, building or portion thereof, arranged for the use of one or more individuals living together as a housekeeping unit on a permanent, temporary or transient basis which may or may not include sanitary facilities or facilities for preparation, storage or serving of food.

OWNER -- Any person who, alone or jointly or severally with other persons, has legal title to any premises. This includes any person who has charge, care or control over any premises as:

- a. An agent, officer, fiduciary or employee of the owners;
- b. The committee, conservator or legal guardian of an owner who is incompetent, a minor or otherwise under a disability;
- c. A trustee, elected or appointed, or a person required by law to act as a trustee, other than a trustee under a deed of trust to secure the payment of money; or
- d. An executor, administrator, receiver, fiduciary, officer appointed by any court, attorney in fact or other similar representative of the owner of his or her estate. This does not include a lessee, a sublessee or other person who merely has the right to occupy or possess a premises.

SMOKE DETECTOR -- A device which detects visible or invisible particles of combustion and is capable of providing a suitable audible alarm of at least 85 decibels at 10 feet, either ionization or photoelectric type.

§ 90-2. Smoke detectors required in dwelling units. [Amended 12-17-1990 by Ord. No. 90-19]

- ☐ In each dwelling unit or individual apartment within buildings used as a multiple dwelling, there shall be provided by the owner of the real estate smoke detector sensing devices which have received Underwriters' Laboratories, Inc., approval. The smoke detectors shall be provided in accordance with the Uniform Construction Code, except that all smoke detectors need not be connected to a sounding device or other detectors to provide, when actuated, an alarm which will be audible in all sleeping areas.

§ 90-3. Alarm requirements.

- ☐ Said smoke detector sensing device shall provide an alarm suitable to warn occupants within individual dwelling units in the event of fire.

§ 90-4. Time of installation.

- ☐ The smoke detector sensing devices shall be installed as above in all dwellings by the owner not later than upon change of ownership of the real estate upon which the dwelling(s) is erected.

§ 90-5. Certification. [Amended 1-28-1991 by Ord. No. 91-1]

- ☐ At the time of settlement on a change of ownership of real estate upon which a dwelling(s) is erected, the seller(s) shall certify and the buyer(s) shall acknowledge, under oath, on a form provided by the

township, that said dwelling(s) complies with the provisions of this chapter.

ARTICLE III, Uniform Construction Code [Adopted 6-15-2004 by Ord. 04-08]

The Pennsylvania Uniform Construction Code (PA UCC) has adopted the following codes for use:

- International Building Code
- ICC Electrical Code (utilizes National Electric Code standards)
- International Energy Conservation Code
- International Existing Building Code
- International Fire Code
- International Fuel Gas Code
- International Mechanical Code
- International Performance Code for Buildings and Facilities
- International Plumbing Code
- International Residential Code
- International Wildland-Urban Interface Code

Beginning 12/31/2006, the PA UCC began to use the 2006 versions of the above referenced codes. Buildings for which a design or construction contract was signed prior to 12/31/2006, should comply with the 2003 versions of the codes listed above.

These code books may be purchased from the International Code Council (ICC), either off their website (www.iccsafe.org) or by calling the ICC at 1-800-786-4452.

§ 90-6. Adoption of standards.

- ☐ The Township hereby elects to administer and enforce the provisions of the Pennsylvania Construction Code Act, Act 45 of 1999, 35 P.S. §§7210.101-7210.1103, as amended from time to time, and its regulations. The Uniform Construction Code, contained in 34 Pa. Code, Chapters 401-405, as amended from time to time, is hereby adopted and incorporated herein by reference as the municipal building code of the Township.

§ 90-7. Modifications to standards.

- The 2006 International Building Code is amended and revised as follows:
 - Section 1612.3 - Insert "Lower Paxton Township" for the name of the jurisdiction and "October 15, 1980" as the date of issuance.
 - Section 3410.2 - Insert "July 1, 2004" as the date of issuance.
- The 2006 International Existing Building Code is amended and revised as follows:
 - Section 1301.2 - Insert "July 1, 2004" as the date.
- The 2006 International Fire Code is amended and revised as follows:
 - Section 307.1 - Insert "A person shall not kindle or maintain or authorize to be kindled any open burning unless conducted and approved in accordance with this section. The open burning of refuse and recyclable materials, including leaf waste, as defined in Article 165, Section 2 of the Codified Ordinances of the Township, shall be prohibited." [Adopted 2-7-2006 by Ord. No. 06-01]

§ 90-8. Administration and Enforcement.

- Administration and enforcement of the Code within the Township shall be undertaken in any of the following ways as determined by the Board of Supervisors of the Township from time to time by resolution:
 - a. By the designation of an employee of the Township to serve as the municipal code official to act on behalf of the Township;
 - b. By the retention of one or more construction code officials or third-party agencies to act on behalf of the Township;

- c. By agreement with one or more other municipalities for the joint administration and enforcement of this Act through an intermunicipal agreement;
- d. By entering into a contract with another municipality for the administration and enforcement of this Act on behalf of the Township;
- e. By entering into an agreement with the Pennsylvania Department of Labor and Industry for plan review, inspections and enforcement of structures other than one-family or two-family dwelling units and utility and miscellaneous use structures.

§ 90-9. Appeals Board.

- ☐ A Board of Appeals shall be established by resolution of the Board of Supervisors of the Township in conformity with the requirements of the relevant provisions of the Code, as amended from time to time, and for the purposes set forth therein. If at any time enforcement and administration is undertaken jointly with one or more other municipalities, said Board of Appeals shall be established by joint action of the participating municipalities.

§ 90-10. Prior Ordinances.

- ☐ All building code ordinances or portions of ordinances which were adopted by the Township on or before July 1, 1999, and which equal or exceed the requirements of this Code shall continue in full force and effect until such time as such provisions fail to equal or exceed the minimum requirements of the Code, as amended from time to time. All building code ordinances or portions of ordinances which are in effect as of the

effective date of this ordinance and whose requirements as less than the minimum requirements of the Code are hereby amended to conform with the comparable provisions of the Code. All relevant ordinances, regulations and policies of the Township not governed by the Code shall remain in full force and effect.

§ 90-11. Fees.

- ☐ Fees assessable by the Township for the administration and enforcement undertaken pursuant to this Ordinance and the Code shall be established by the Board of Supervisors by resolution from time to time.